Approval Criteria for Regulated Human Subjects Research

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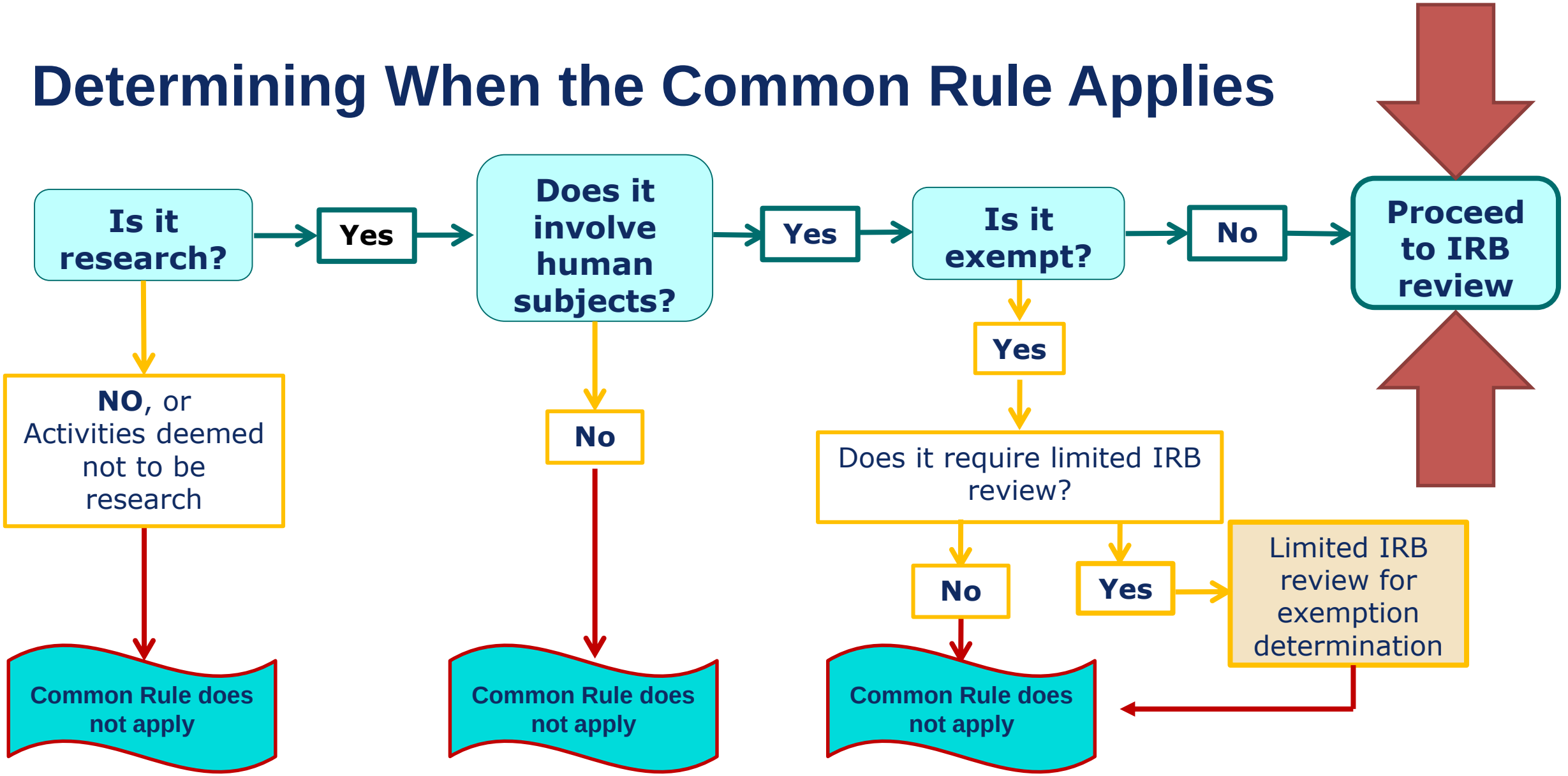
Determining When the Common Rule Applies

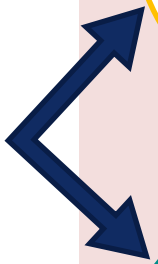


What Does It Mean that "the Common Rule Applies"?

- Research must be reviewed and approved by an IRB
  - Initial review plus some ongoing oversight (e.g., changes to protocols, yearly review for some research, adverse events reporting)
  - Requirements for informed consent and its documentation, unless waved
- Single IRB requirements for cooperative research
- Other administrative requirements for institutions and IRBs

Mechanisms for IRB Review of Research

Non-exempt, Human Subjects Research: Common Rule Applies; Research Requires IRB Review



Expedited Review

- An option only for certain low-risk research
- Review by experienced reviewer(s) selected by IRB chair

Full Board or Full Committee Review

- For higher risk research and some low-risk research that did not qualify for expedited review
- Review at convened meeting where majority of IRB committee must be present

All IRB requirements, including obtaining and documenting informed consent, apply to BOTH expedited and full board studies

Who is on the IRB?

- At least five members
  - Various backgrounds
  - Consideration of race, gender, and cultural backgrounds
  - Sensitivity to community attitudes
- At least one scientist
- At least one nonscientist
- At least one member who is otherwise not affiliated with the institution

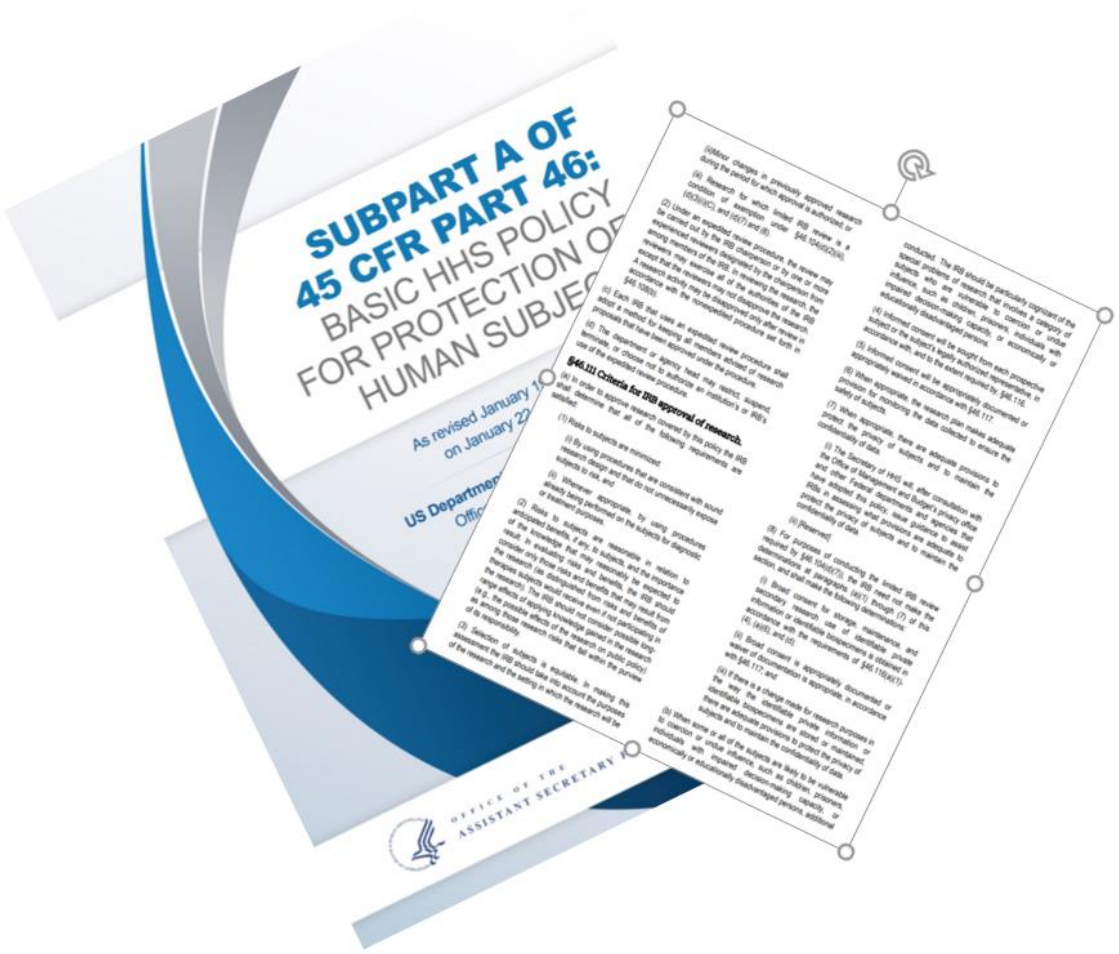
Criteria for IRB Approval of Research

- All protocols, **whether expedited or full-board**, must comply with the same criteria for IRB approval at 45 C.F.R. 46.111
  1. Risks to participants are minimized
  2. Risks are reasonable in relation to anticipated benefits
  3. Equitable selection of subjects
  4. Informed consent is obtained from each prospective participant (unless waived)
  5. Documentation of informed consent (unless waived)
  6. Data safety monitoring when appropriate
  7. Privacy and confidentiality protections when appropriate
- Additional safeguards for participants who are likely to be vulnerable to coercion or undue influence

Ethical Foundations of the Criteria for IRB Approval of Research

THE BELMONT REPORT		45 C.F.R. 46 (“The Common Rule”)
Respect for persons	→	Informed consent; documentation of consent
Beneficence	→	Minimize potential risks (including data safety monitoring); favorable risk-benefit analysis; privacy and confidentiality protections
Justice	→	Equitable subject selection

Section 46.111: Criteria for IRB Approval of Research



WHY IS THIS IMPORTANT TO YOU?

- IRBs
  - All non-exempt protocols must meet this criteria
  - Provides a road map for reviewing, discussing, and documenting IRB actions
- Investigators
  - IRB cannot approve your protocol unless it satisfies these criteria
  - Provides a road map for drafting a protocol

Applying the Criteria for IRB Approval of Research – Minimizing Risks to Subjects

Risks to subjects are minimized by using procedures that are consistent with sound research design and that do not unnecessarily expose subjects to risk, and whenever appropriate, by using procedures already being performed on the subjects for diagnostic or treatment purposes. 46.111(a)(1)

In evaluating risks, the IRB should consider only those risks that may result **from the research** (as distinguished from risks of procedures that subjects would undergo even if not participating in the research 46.111(a)(2)

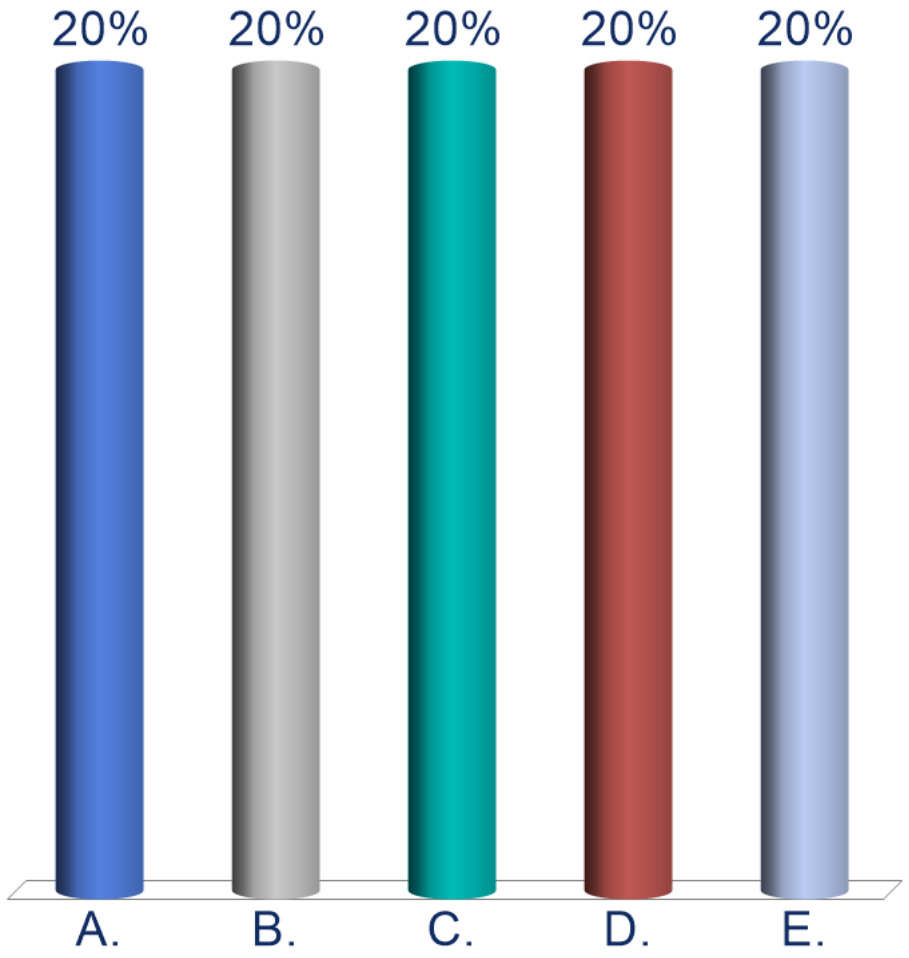
- Identify all research interventions and procedures
- Identify risks to subjects likely to result from those procedures
  - Describe how each risk will be minimized
  - Anticipate questions from the IRB

Example: Applying the Criteria for IRB Approval of Research – Minimizing Risks to Subjects

Study to assess the effectiveness of MDMA (ecstasy) in addition to cognitive behavioral therapy (CBT) to treat refractory depression. Adult patients with refractory depression and already in CBT treatment will be randomized to CBT+MDMA vs. CBT only.

Which of the following are among the study interventions or procedures?

A. MDMA therapy
B. CBT
C. Monitoring while under the influence of MDMA
D. A and C only
E. All of the above



Example: Applying the Criteria for IRB Approval of Research – Minimizing Risks to Subjects … *cont.*

The day of the intervention, participants in the MDMA+CBT group come to the lab. Researchers will prep the participants and administer 200 mg of MDMA intravenously. After one hour, participants will undergo a one-hour CBT session. Participants will be dismissed after they no longer report any effect from MDMA.

DISCUSSION

1. What are some of the risks to participants that may result from this research?
2. How could the PI minimize these risks?

Applying the Criteria for IRB Approval of Research – Reasonable Risk-Benefits Ratio

Risks to subjects must be reasonable in relation to anticipated benefits to subjects, if any, and the importance of the knowledge that may result from the research. 46.111(a)(2)

- Identify potential benefits to subjects
  - Compensation ≠ benefit
- Identify importance of the knowledge that may result from the research
  - This is often extensively discussed in the NIH grant
- Weigh risks and benefits
  - High risk research is only acceptable where there is potential for benefit or obtaining very important knowledge
  - Low risk research can be done in the absence of direct benefits (as long as participants are adequately informed)

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thank you